AN ACT CONCERNING GRADUATE FUNDING AND THE PROVISION OF SUPPORT AND SERVICES FOR PERSONS WITH INTELLECTUAL DISABILITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective October 1, 2018) (a) The Department of Developmental Services shall annually (1) evaluate the needs of persons with intellectual disability who are eligible for services from the department and have turned or are turning twenty-one years of age during the school year, and (2) determine the projected cost of providing day, employment and other support services to such persons following the end of the school year after such person turns twenty-one years of age. On or before January 1, 2019, and annually thereafter, the Commissioner of Developmental Services shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to public health and appropriations, and to the Office of Policy and Management regarding the needs of such persons and the funding needed to cover such projected cost for all such persons who turn twenty-one years of age in each of the following three fiscal years.

(b) On and after January 1, 2019, the Department of Developmental Services shall provide services, including day, employment and other
support services, to each person with intellectual disability who is eligible for services, immediately following the end of the school year in which each such person turns twenty-one years of age.

(c) Notwithstanding the provisions of chapter 50 of the general statutes, the appropriations recommended for the Department of Developmental Services for graduate funding under subsection (a) of this section shall be the estimates of expenditure requirements transmitted to the Secretary of the Office of Policy and Management by the Commissioner of Developmental Services pursuant to subsection (a) of this section and the recommended adjustments and revisions of such estimates shall be the recommended adjustments and revisions, if any, transmitted by said commissioner to the Office of Policy and Management.

(d) Notwithstanding the provisions of section 4-85 of the general statutes, the Governor shall not reduce allotment requisitions or allotments in force concerning the graduate funding described in subsection (c) of this section.

Sec. 2. (NEW) (Effective July 1, 2018) (a) The Commissioner of Developmental Services, in consultation with the Commissioner of Social Services, shall adjust, within available appropriations and in accordance with the application of standard accounting principles, as prescribed by said commissioners, the amount of payments for programs, services and supports made to nonprofit private provider organizations that contract with the state to provide residential, day, employment and other support services to persons with intellectual disability. Such adjustment shall provide an annual pro-rata increase based on direct care employee salaries for services provided in the state and included in the annual report of residential and day services for cost year 2016 of the Departments of Developmental Services and Social Services, which shall be adjusted to reflect salary increases occurring after the release of such report. Such pro-rata increase shall reflect reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or otherwise provided by an
organization to its employees, including an increase in direct compensation and the provision of pension benefits to all employees. For purposes of this subsection, "employee" does not include a person employed as a manager, chief administrator or any individual who receives compensation for services pursuant to a contractual arrangement and who is not directly employed by a nonprofit private provider organization that provides residential, day or employment services.

(b) The Commissioner of Developmental Services may establish an upper limit for reasonable costs associated with salary adjustments beyond which the adjustment made pursuant to subsection (a) of this section shall not apply. Nothing in this section shall require the commissioner to distribute such adjustments in a way that jeopardizes anticipated federal reimbursement. Such adjustment may not provide disproportional increases to any nonprofit private provider organization. If a nonprofit private provider organization receives an adjustment under subsection (a) of this section, but does not provide any increase in employee salaries on or before October 1, 2018, such private provider may be subject to a rate decrease in the same amount as the adjustment made for such provider under subsection (a) of this section.

Sec. 3. (NEW) (Effective July 1, 2018) (a) The Department of Developmental Disabilities shall establish a training and development advisory committee to develop training guidelines and improve the level of training received by direct care workers who provide services to persons with intellectual disability. The committee shall determine (1) the extent to which such direct care workers who serve persons with high levels of need may require additional training to adequately serve such persons, (2) the curricula that needs to be developed to provide such additional training, and (3) the manner in which to provide such training to ensure consistent care across the direct care workforce and the appropriate state agencies.

(b) The training and development advisory committee shall be
comprised of the following members:

(1) Two impartial representatives of the disability rights community, who shall be appointed by the Governor;

(2) The Commissioner of Developmental Services, or the commissioner's designee;

(3) The Commissioner of Social Services, or the commissioner's designee;

(4) The Secretary of the Office of Policy and Management, or the secretary's designee;

(5) Two representatives of private care providers, who shall be designated by the Connecticut Community Nonprofit Alliance; and

(6) Two representatives of organizations that represent direct care workers who provide services to persons with intellectual disability.

(c) The chairperson of the training and development advisory committee shall be selected by the Governor from among its members.

(d) On or before October 1, 2018, the training and development advisory committee shall report to the Commissioner of Developmental Services regarding an estimate of the funds required to pay for the appropriate level of additional training it determines to be necessary under subsection (a) of this section. Such training funds shall be available to pay any private provider that wishes to participate in the additional training program.

(e) On or before December 1, 2018, the training and development advisory committee shall report to the Commissioner of Developmental Services regarding the guidelines it developed pursuant to subsection (a) of this section and its recommendations regarding additional training required for direct care workers.

(f) The Commissioner of Developmental Services shall adopt
regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

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<tr>
<th>Section</th>
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<th>Description</th>
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<tbody>
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<td>1</td>
<td>October 1, 2018</td>
<td>New section</td>
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<tr>
<td>2</td>
<td>July 1, 2018</td>
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<td>3</td>
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PH Joint Favorable Subst.